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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,783	07/14/2003	Shih-Chieh Wang	0941-0789P	4082

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EXAMINER
JACKSON, BLANE J

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/617,783	WANG ET AL.	
	Examiner	Art Unit	
	Blane J. Jackson	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☑ All b)☐ Some * c)☐ None of:

1.☑ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Uusimaki (US 6,571,086).

As to claim 1, Uusimaki teaches a handheld computer comprising:

A main body (figure 2, PDA of open body (1)),

A cellular phone device disposed in the main body (figure 1, main body (1) closed),

A monitor disposed on the main body the monitor having a backlight (figure 2, LCD and backlight (5a)),

A power switch disposed on the main body and having a pushbutton, the pushbutton moving between a first position a second position and a third position to control the power on/off of the handheld computer, the backlight of the monitor and the cellular phone device (figures 3, 4 and 6, column 8, lines 28-44 and column 9, line 23 to column 10, lines 45 and, multi-position switch (7) comprises a pushbutton combined with rotary or a tilt type alternate push positions when used individually, in sequence and/or maintained selects menu based control functions that include on/off of the backlight, cellular phone and PDA).

As to claims 2 and 3, Uusimaki teaches the handheld computer as claimed in claim 1 wherein when the backlight of the monitor is in off or on mode, it is switched when the pushbutton is moved to the second position and maintained in the second position for a predetermined time (several control methods of multi-position switch (7): column 11, lines 41-53 or column 12, lines 20-40 or especially column 9, lines 39-57, backlight is selected on or off through operation sequences for example by long-lasting press which switches the device on or off).

As to claim 4 and 5, Uusimaki teaches the handheld computer of claim 1 wherein when the cellular phone device is in off/on mode, it is switch when the pushbutton is moved to the third position and maintained in the third position for a predetermined time (several control methods of multi position switch (7): column 11, lines 41-53 or column 12, lines 20-40 or especially column 9, lines 39-57, the device is selected on/off through

a particular operation sequence to control the device include for example by long-lasting press which switches the device on or off).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uusimaki (US 6,571,086) in view of Nguyen (US 5,797,089).

As to claims 6 and 7 with respect to claim 1, Uusimaki teaches the handheld computer as claimed in claim 1 wherein the power to the wireless telephone/ personal digital assistant (PDA) is turned on/ off when the pushbutton is moved to a third position and immediately released (column 12, lines 20-40, alternative switch (7) control method to control the (phone) device as referenced under the "Phone Settings" menu).

Uusimaki is silent as to a second switch actuation sequence to energize the PDA different to the telephone, figures 1 and 2.

Nguyen teaches a portable communications terminal having individual keyboard positioned pushbutton power switches to independently energize a mobile telephone and personal digital assistant (PDA), figures 1 and 2, PDA power switch (25) and phone power switch (26), column 3, line 37 to column 4, line 23, as well as a trackball (29) to control a cursor on the display.

Since Uusimaki further teaches a different switch actuation method for the on or off of the backlight and the entire PDA/phone device, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the control switch of Uusimaki to include an additional control switch sequence to independently control the power to the PDA and telephone as taught by Nguyen to limit battery consumption.

As to claim 8, Uusimaki teaches a power switch for a handheld computer having a main body, a cellular phone device and a monitor having a backlight, the cellular phone device being disposed in the main body (figure 1, body 1), the monitor being disposed on the main body (figure 2, display (5a)), the power switch being disposed on the main body and having a pushbutton, (figure 2, pushbutton or control means (7)), the pushbutton moving between a first position, a second position and a third position (column 5, line 37 to column 6, line 44), characterized in:

The backlight of the monitor turning on when the pushbutton is moved to the second position and maintained in the second position for a predetermined time, when the backlight is in Off mode,

The backlight of the monitor turning off when the pushbutton is moved to the second position and maintained in the second position for a predetermined time, when the backlight is in On mode (figure 4, column 9, lines 23-57, control means (7) is a multi-position pushbutton switch which is used a particular switch sequence to turn on/ off the backlight and an optional second position comprises a long lasting press to actuate a Power On mode or Power Off mode).

The cellular phone device turning on when the pushbutton is moved to the third position and maintained in the third position for a predetermined time, when the cellular phone device is in Off mode,

The cellular phone device turning off when the pushbutton is moved to the third position and maintained in the third position for a predetermined time, when the cellular phone device is in On mode (figure 4, column 9, lines 23-57, control means (7) is a multi-position pushbutton switch which is used a particular switch sequence to turn on/ off the (phone) device and an optional second position comprises a long lasting press to actuate a Power On mode or Power Off mode).

Uusimaki is silent as to a second switch actuation sequence to energize the PDA different to the telephone, figures 1 and 2.

Nguyen teaches a portable communications terminal having individual keyboard positioned pushbutton power switches to independently energize a mobile telephone and personal digital assistant (PDA), figures 1 and 2, PDA power switch (25) and phone power switch (26), column 3, line 37 to column 4, line 23, Nguyen also discloses a trackball (29) to control a cursor on the display.

Since Uusimaki further teaches a different switch actuation sequence to turn on or off the backlight and the entire PDA/phone device, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the control switch means of Uusimaki to include an additional control switch sequence to independently control the power to the PDA and telephone as taught by Nguyen to limit battery consumption.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Purpura (US 2003/0043518) and Kenney (US 4,484,029).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J. Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Friday, 9:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ

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